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3 \*E-Filed 5/27/10\*  
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11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA  
13 SAN FRANCISCO DIVISION  
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15 MIGUEL VILLANUEVA,  
16 Petitioner,

No. C 09-0860 RS (PR)

17 v.  
18 **ORDER REQUESTING FURTHER  
19 BRIEFING**

20 ROBERT K. WONG, Warden,  
21 Respondent.

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24 A recent en banc decision from the Ninth Circuit addressed important issues relating  
25 to federal review of parole decisions in California. *See Hayward v. Marshall*, No. 06-55392,  
26 2010 WL 1664977 (9th Cir. April 22, 2010) (en banc). The Court requests that the parties  
27 submit supplemental briefs (not to exceed 12 pages in length) explaining their views on how  
the *Hayward* en banc decision applies to this parole denial habeas case. The Court sets the  
following schedule:

- 28 1. Within 10 days of this order, respondent shall send to petitioner a copy of the  
29 *Hayward* decision.  
30 2. Within 30 days of this order, respondent shall file with the Court and serve on  
31 petitioner a supplemental brief on the impact of *Hayward* on this action.

1       3. Within 15 days thereafter, petitioner may file with the Court and serve on  
2 respondent a supplemental brief on the impact of *Hayward* on this action.

3       **IT IS SO ORDERED.**

4       DATED: May 27, 2010

  
RICHARD SEEBORG  
United States District Judge